S.B.CRIMINAL MISC. BAIL APPLICATION NO.5789/2006

Date : 04.01.2007

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. R.K. Charan for the applicant.
Mr. D.D.Kalla for Union of India.

I have heard learned counsel for the applicant as well as the learned counsel appearing on behalf of Union of India and carefully gone through the impugned order.

Learned counsel for the applicant submits that the applicant at the time of commission of the offence is a Juvenile, therefore, his matter should be considered for bail.

Learned counsel appearing on behalf of Union of India submits that the matter is pending investigation and the contraband recovered is above commercial quantity, therefore, the applicant may not be enlarged on bail.

After hearing learned counsel for the parties while rejecting the bail application, I deem it proper to pass following order :

The investigating agency is expected to investigate the matter as to whether the accused applicant is Juvenile or not. In this regard, on behalf of the applicant relevant documents, if produced, the Investigating Officer may consider the same in accordance with law and if it is found that the applicant is Juvenile the matter may be proceeded in accordance with the provisions of the Juvenile Justice (Care & Protection of the Children) Act, 2000. It is expected from the Investigating Agency to expedite the investigation.

With above observation, the bail application stands rejected.

(SATYA PRAKASH PATHAK), J.